

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16640 of 2004

Between:

D.Swaroop Rani, W/o Y.S.Prabhakar,
Asis Sadan, D.No.9-199, Ashok Nagar, Koyyalagudem, West Godavari District

... PETITIONER

AND

- 1 The District Educational Officer, Eluru, West Godavari District
- 2 The Dy.D.E.O. Koyyalagudem, West Godavari District
- 3 The Correspondent, Lutheran Upper Primary School,
LND Peta, Polavaram mandal, West Godavari District

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction in the nature of Mandamus or otherwise declaring the action of the 1st respondent in not approving the appointment of the petitioner as Secondary Grade Teacher in 3rd respondent's School and not appointing the Petitioner as Secondary Grade Teacher, as arbitrary, illegal, violative of Arts.14, 16 and 21 of the Constitution of India and issue consequential directions directing the 1st respondent to forthwith approve the appointment of the Petitioner in pursuance of the recommendations made by the 3rd and 2nd respondents and further direct the respondents to appoint the Petitioner as Secondary Grade Teacher in the 3rd respondent's School, in the interest of justice as otherwise the petitioners will be put to irreparable loss and injury

Counsel for the Petitioner: MR.P.V.KRISHNAIAH

Counsel for the Respondent No.: GP FOR EDUCATION

The Court at the admission stage made the following:

Oral Order:

The petitioner is one of the candidates who appeared for the interview for the post of a Secondary Grade Teacher on 29-6-2003 before the Selection Committee duly constituted. The petitioner contends that after conducting the interviews, the selection list was forwarded by the management of the third respondent duly recommended by the second respondent to the first respondent for approval on the same day. The grievance of the petitioner is that though the Selection Committee recommended the names of the selected candidates, the first respondent is not passing any orders on the letter for approval. The petitioner therefore approached this Court through this writ petition seeking a direction to the first respondent to pass appropriate orders on the letter submitted by the management of the third respondent for approval of the selected candidates.

Having regard to the facts and circumstances mentioned above, the first respondent is directed to look into the recommendation said to be made by the third respondent and, if it is in order, pass appropriate orders, and if such recommendation is not in order, to make such endorsement to furnish any further information required and dispose of the said proposal within four weeks from the date of receipt of this order according to the rules.

The writ petition is disposed of with the above directions.

(Dr.G. Yethirajulu, J)

17th September 2004

Note:

Issue copy by 20-9-2004

(By order)

svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The District Educational Officer, Eluru, West Godavari District
- 2 The Dy.D.E.O. Koyyalagudem, West Godavari District
- 3 The Correspondent, Lutheran Upper Primary School,
LND Peta, Polavaram mandal, West Godavari District
4. The Government Pleader for Education.
5. 2 CCs to
6. 2 CD copies